IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No. 1823 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE A.M.KAPADIA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PROJECT OFFICER CUM TALUKA DEVELOPMENT OFFICER & 1 - Applicant(s)

Versus

DEEPAKBHAI BAPABHAI PATEL & 2 - Opponent(s)

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Appearance :

MR JV JAPEE for Petitioner No(s).: 1.
Advocate Name None for Petitioner No(s).: for Petitioner No(s).: 2.

RULE SERVED for Respondent No(s).: 1, 2,3.

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CORAM : HON'BLE MR.JUSTICE A.M.KAPADIA

Date : 25/07/2005

ORAL JUDGMENT

1. Mr. JV Japee, learned advocate for the petitioners, states that this petition filed under Section 115 of the Code of Civil Procedure ('the Code' for short) against an interlocutory order is not

maintainable now in view of the amendment made in Section 115 of the Code. He, therefore, seeks leave to withdraw this petition reserving liberty to file a substantive Special Civil Application under Article 227 of the Constitution of India.

2. Leave as prayed for is granted. The revision application stands disposed of as withdrawn with liberty to file substantive Special Civil Application.

3. Rule is discharged with no order as to costs.

(A.M. Kapadia, J.)

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